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April 9, 2024

VIA ECF

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 23A
New York, New York 10007

Re: *The New York Times Company v. Microsoft Corporation, et al.*,
Case No.: 23-cv-11195-SHS

Dear Judge Stein:

I write on behalf of Plaintiff, The New York Times Company (“The Times”) to respectfully request a status conference to discuss the case schedule. Defendants have informed The Times that they do not oppose this request.

The Rule 26(f) Report, filed on March 8, 2024, outlines the parties’ competing proposals for the schedule. Dkt. 72 at 13. The Times proposes that this case follow the schedule to which Defendants stipulated in *Authors Guild et al. v. OpenAI, Inc. et al.* (No. 1:23-cv-08292), *Alter et al. v. OpenAI, Inc. et al.* (No. 1:23-cv-10211), and *Basbanes et al. v. OpenAI, Inc. et al.* (No. 1:23-cv-00084) (collectively the “Consolidated Class Actions”). Defendants object to applying the schedule from the Consolidated Class Actions, but Microsoft and OpenAI each submitted different counterproposals.

Given the variety of options presented to the Court, a status conference will help resolve the parties’ disputes over the schedule. Setting a schedule will also help all parties efficiently plan

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for discovery, which is already underway. Both The Times and OpenAI have served discovery requests, and all three parties have responded to discovery requests.

Respectfully submitted,

/s/ Ian B. Crosby

Ian B. Crosby

cc: All Counsel of Record (via ECF)